

**REMARKS**

Claims 1-22 and 34-44 are pending in the application. Claims 1, 12, and 34 are independent claims. Claims 1-11 are allowed. Claims 12-22 and 34-44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 5,794,371 ("Camillery") in view of U.S. patent application publication no. 2003/0156688 ("McCarty") alone or further in combination with U.S. patent no. 6,364,126 ("Enriquez").

Applicant gratefully acknowledges the time and attention afforded by Examiner Silbermann during an October 17, 2006 telephonic interview with inventor David Helmlinger and Applicant's undersigned attorney. Applicant discussed with the Examiner the possibility of amending the claims to recite "notepad" rather than "note" in order to get beyond any disagreement over whether the photograph disclosed by Camillery is or is not a note. Applicant noted that none of the cited references teaches or suggests a notepad holder. The Examiner suggested that such an amendment would probably get around the teachings of the cited references.

Applicant has amended independent claims 12 and 34 to recite a notepad holder comprising a "notepad retention member that retains a notepad," wherein, upon detection of motion, the notepad holder provides a human-perceptible indication that "a note is waiting on the notepad." Applicant respectfully submits that none of the cited references teaches or suggests a notepad retention member that retains a notepad. Also, none of the cited references teaches or suggests providing a human-perceptible indication that "a note is waiting" on a notepad.

Applicant further respectfully submits that none of the cited references, alone or in combination, teaches or suggests a motion-detecting notepad holder as claimed. Applicant recognizes that motion detectors and notepad holders are well-known. Applicant respectfully submits, however, that the prior art provides no teaching, suggestion, or motivation for modifying a notepad holder to include a motion detector for providing a human-perceptible indication that a note is waiting on the notepad.

In the prior art, to call a person's attention to a note, one would typically place the note at a location where the person would likely see the note. For example, people frequently leave notes for others on chairs, desks, and the like. Such notes, left on a busy desk, for example, may be overlooked, or they may fall onto the floor and go unnoticed.

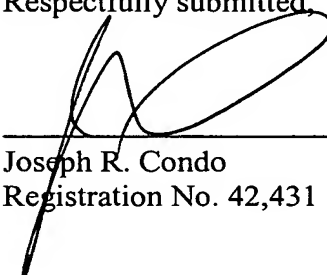
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The notepad holders of Applicant's claims 12 and 34 solve the problem of overlooked and unnoticed notes by calling attention to the notepad itself, thus eliminating the need for the writer of the note to physically remove the note from the notepad. The prior art simply provides no teaching or suggestion for calling attention to the *notepad holder*. This concept is supplied to the art by Applicant's invention.

For all the foregoing reasons, Applicant respectfully submits that the claims patentably define over the teachings of the cited references. Applicant respectfully requests a notice of allowance for claims 1-22 and 34-44.

Respectfully submitted,



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